

Nov 19, 2018

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,  
v.  
SAMI ANWAR,

Plaintiff,

Defendant.

No. 4:18-CR-06054-EFS-1

**PROTECTIVE ORDER**

Before the Court, without oral argument, is the Government's Unopposed Motion for Protective Order Regulating Disclosure of Discovery and Sensitive Information, ECF No. 29, and related Motion to Expedite, ECF No. 28. The Government has applied unopposed for a Protective Order regulating disclosure of the discovery materials and the confidential financial and medical information contained therein (the "Discovery") to Defense Counsel in connection with the Government's discovery obligations. Because of the nature of the discovery and sensitive information contained therein, the Court finds good cause to grant both motions.

1           **IT IS HEREBY ORDERED:**

- 2       1. The Government's Unopposed Motion for Protective Order Regulating  
3           Disclosure of Discovery and Sensitive Information, ECF No. 29, is  
4           **GRANTED.**
- 5       2. The Government's Motion to Expedite, ECF No. 28, is **GRANTED**.
- 6       3. The United States is authorized to disclose the Discovery and sensitive  
7           information materials, specifically, materials related to the financial and  
8           medical records of third parties, in its possession pursuant to the discovery  
9           obligations imposed by this Court.
- 10      4. Government personnel and counsel for SAMI ANWAR, shall not provide,  
11           or make available, the sensitive information in the Discovery to any person  
12           except as specified in the Order or by approval from this Court. Counsel  
13           for SAMI ANWAR, and the Government shall restrict access to the  
14           Discovery, and shall only disclose the sensitive information in the  
15           Discovery to their client, office staff, investigators, independent paralegals,  
16           necessary third-party vendors, consultants, and/or anticipated fact or  
17           expert witnesses to the extent that defense counsel believes is necessary to  
18           assist in the defense of their client in this matter or that the Government  
19           believes is necessary in the investigation and prosecution of this matter. No  
20           copies of Discovery shall be left with the Defendant, SAMI ANWAR.
- 21      5. Third parties contracted by the United States or counsel for SAMI ANWAR,  
22           to provide expert analysis or testimony may possess and inspect the

1 sensitive information in the Discovery, but only as necessary to perform  
2 their case-related duties or responsibilities in this matter. At all times, third  
3 parties shall be subject to the terms of the Order.

- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
6. The parties intend for discovery from the United States in this matter to be made available to defense counsel via access to a case file on USA File Exchange. If necessary to review discovery with their client, defense counsel may download the discovery and duplicate only once. Discovery materials may not be left in the possession of the Defendant, SAMI ANWAR. In order to provide discovery to a necessary third-party vendor, consultant, and/or anticipated fact or expert witness, counsel for SAMI ANWAR may duplicate the discovery only once. No other copies may be made, by defense counsel or any recipients of the Discovery, without prior approval from this Court.

7. All counsel of record in this matter, including counsel for the United States, shall ensure that any party, including the Defendant, that obtains access to the Discovery, is provided a copy of this Order. No other party that obtains access to or possession of the Discovery containing sensitive information shall retain such access to or possession of the Discovery containing sensitive information shall retain such access to or possession unless authorized by this Order, nor further disseminate such Discovery expect as authorized by this Order or the further Order of this court. Any other party that obtains access

1 to, or possession of, the Discovery containing discovery information  
2 once the other party no longer requires access to or possession of such  
3 Discovery shall promptly destroy or return the Discovery once access to  
4 Discovery is no longer necessary. For purposes of this Order, “other  
5 party” is any person other than appointed counsel for the United States  
6 or counsel for SAMI ANWAR.

- 7
- 8 8. All counsel of record, including counsel for the United States, shall keep a  
9 list of the identity of each person to whom the Discovery containing  
10 sensitive information is disclosed and who was advised of the requirements  
11 of this Order. Neither counsel for SAMI ANWAR nor counsel for the  
12 United States shall be required to disclose this list of persons unless ordered  
13 to do so by the Court.
- 14
- 15 9. Upon entry of a final order of the Court in this matter and conclusion of any  
16 direct appeals, government personnel and counsel for SAMI ANWAR shall  
17 retrieve and destroy all copies of the Discovery containing sensitive  
18 information, except that counsel and government personnel may maintain  
19 copies in their closed files following their customary procedures.
- 20
- 21 10. Government personnel and counsel for SAMI ANWAR shall promptly  
22 report to the Court any known violations of this Order.
11. This Order shall be applicable to any and all counsel of record for SAMI  
ANWAR. Unless ordered otherwise by this Court, should the current  
defense counsel of record ever cease representing SAMI ANWAR, the

1 current defense counsel of record shall return all of the Discovery and all  
2 copies thereof, to counsel for the Government, and the Government shall  
3 promptly provide the Discovery, under the terms of this Order, to new  
4 counsel of record for SAMI ANWAR.

5 **IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order and  
6 provide a copy to counsel for Defendant.

7 **DATED** this 19<sup>th</sup> day of November 2018.

8  
9                       s/Edward F. Shea  
10                       EDWARD F. SHEA  
11                       Senior United States District Judge  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22